

PART 3  
of 8

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
	)	Plaintiff,
	)	In Equity No. C-125-ECR
	)	Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,	)	
	)	
	)	Plaintiff-Intervenor,
	)	DISCLAIMER OF INTEREST IN
	)	WATER RIGHTS AND NOTICE OF
	)	RELATED INFORMATION AND
	)	DOCUMENTATION SUPPORTING
	)	DISCLAIMER
v.	)	
WALKER RIVER IRRIGATION	)	
DISTRICT,	)	
a corporation, et al.,	)	
	)	
	)	Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s): DONALD E. CLINGER  
8 SHEERIE J. CLINGER  
9

10 Street or P.O. Box: PO Box 1291  
11

12 Town or City: Dayton  
13

14 State: NO.  
15

16 Zip Code: 89403  
17

18 2. The name and address of each person or entity who acquired ownership

19 Name(s): STEVEN E. VERNA  
20 NANCY J. VERNA  
21

22 Street or P.O. Box: 2046 VALDERUS DR.  
23

24 Town or City: Glendale  
25

26 State: CA.  
27

28 Zip Code: 91208

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3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5  
6 ☒ Deed  
7 ☐ Court Order  
8 ☐ Other Document.  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this 17 day of October 2005.

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21  
22 [signature of counter-defendant]

23  
24  
25 Donald E. Clinger

26 [name of counter-defendant]  
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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

[telephone number]

APN: 09-031-05

Escrow No. 00141721 - JN

RPTT \$663.00

When Recorded Return to:

STEVEN E. VERNA  
NANCY J. VERNA  
2046 VALDERAS DR.  
GLENDALE, CA 91208

Mail Tax Statements to:

SAME AS ABOVE

THE UNDERSIGNED HEREBY CERTIFIES  
THIS TO BE A TRUE AND CORRECT COPY  
OF THE ORIGINAL, WHICH RECORDED  
ON June 9, 2005

IN BOOK        AT PAGE       

AS INSTRUMENT NO. 353316  
OFFICIAL RECORDS.

FIRST CENTENNIAL TITLE CO. OF NEVADA

BY J. Konek

SPACE ABOVE FOR RECORDERS USE

**Grant, Bargain, Sale Deed**

THIS INDENTURE WITNESSETH: That DONALD E. CLINGER and SHERRIE J. CLINGER,  
husband and wife, as community property

In consideration of \$10.00, the receipt of which is hereby acknowledged, do(es) hereby  
Grant, Bargain, Sell and Convey to NANCY J. VERNA AND STEVEN E. VERNA, wife  
and husband as joint tenants with right of survivorship

all that real property situated in the County of Lyon, State of Nevada, described as follows:

See Exhibit A attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto  
belonging or in anywise appertaining.

Witness my/our hand(s) this 24<sup>th</sup> day of May, 2005

Donald E. Clinger  
DONALD E. CLINGER

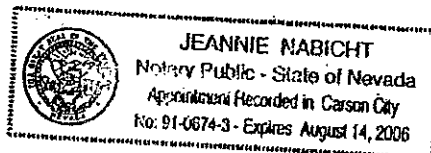
Sherrie J. Clinger  
SHERRIE J. CLINGER

STATE OF NEVADA

Carson City

This instrument was acknowledged before me on 5/24/05,  
by DONALD E. CLINGER and SHERRIE J. CLINGER.

Jeannie Nabicht  
NOTARY PUBLIC



SPACE BELOW FOR RECORDER



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
)  
Plaintiff, ) In Equity No. C-125-ECR  
) Subfile No. C-125-B  
WALKER RIVER PAIUTE TRIBE, )  
) **DISCLAIMER OF INTEREST IN**  
Plaintiff-Intervenor, ) **WATER RIGHTS AND NOTICE OF**  
) **RELATED INFORMATION AND**  
v. ) **DOCUMENTATION SUPPORTING**  
) **DISCLAIMER**  
WALKER RIVER IRRIGATION )  
DISTRICT, )  
a corporation, et al., )  
)  
Defendants. )

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

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8 Donald E Clinger

9 Street or P.O. Box: PO Box 1291

10 Town or City: Dayton

11 State: NU.

12 Zip Code: 89403

13 2. The name and address of each person or entity who acquired ownership

14 Name(s): STEVEN E VERNA  
15 NANCY J. VERNA

16 Street or P.O. Box: 2046 VALDEAS DR.

17 Town or City: Glendale

18 State: CA.

19 Zip Code: 91208



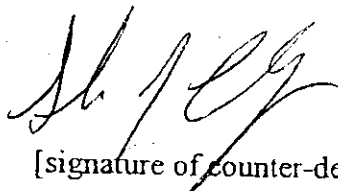
3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed  
☐ Court Order  
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 17 day of OCT 2005

  
[signature of counter-defendant]

*Sherrie J. Clinger*  
[name of counter-defendant]

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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

[telephone number]

APN: 09-031-05

Escrow No. 00141721 - JN

RPTT \$663.00

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STEVEN E. VERNA  
NANCY J. VERNA  
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GLENDALE, CA 91208

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THE UNDERSIGNED HEREBY CERTIFIES  
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ON June 9, 2005

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FIRST CENTENNIAL TITLE CO. OF NEVADA

BY J. Konek

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Grant, Bargain, Sell and Convey to NANCY J. VERNA AND STEVEN E. VERNA, wife  
and husband as joint tenants with right of survivorship

all that real property situated in the County of Lyon, State of Nevada, described as follows:

See Exhibit A attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto  
belonging or in anywise appertaining.

Witness my/our hand(s) this 24<sup>th</sup> day of May, 2005

Donald E. Clinger  
DONALD E. CLINGER

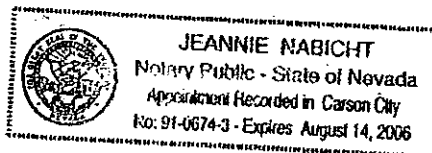
Sherrie J. Clinger  
SHERRIE J. CLINGER

STATE OF NEVADA

Carson City

This instrument was acknowledged before me on 5/24/05,  
by DONALD E. CLINGER and SHERRIE J. CLINGER.

Jeannie Nabicht  
NOTARY PUBLIC



SPACE BELOW FOR RECORDER



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-10-05

Donald R. Cochran  
Signature

Donald R. Cochran  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

Defendants.

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In Equity No. C-125-ECR

Subfile No. C-125-B

NOTICE OF CHANGE OF  
OWNERSHIP OF WATER RIGHT

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s)

*Donald A Cochran*  
*Susan J Cochran*

Street or P.O. Box

*21 Basque L*

Town or City

State

Zip Code

*Yerington*

*NV.*

*89447*

2. The name and address of each person or entity who acquired ownership

Name(s) *Sunrise Ranch LLC*

Street or P.O. Box *9 Hwy 100*

Town or City

State

Zip Code

*Yerington*

*NV.*

*89447*

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed  
☐ Court Order  
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

\* This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

litigation.

Executed this 10<sup>th</sup> day of October 2005.

[signature of counter-defendant]

*Donald R Cochrane*

[name of counter-defendant]

*Donald R Cochrane*

[signature, if applicable, of person acting on  
behalf of counter-defendant]

[name, if applicable, of person acting on  
behalf of counter-defendant]

[address]

*21 Basque Ln  
Jerkington NV. 89447*

[telephone number]

*775-463-5164*



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION

DISTRICT,

a corporation, et al.,

Defendants.

In Equity No. C-125-ECR

Subfile No. C-125-B

**DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER**

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

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United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed  
☐ Court Order  
☐ Other Document.

by which the change in ownership was accomplished.

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Executed this 10th day of October 2005.

[signature of counter-defendant]

*Donald R Cochran*

[name of counter-defendant]

*Donald R Cochran*

RPTT # 58.50  
APN 14-333-18

**QUITCLAIM DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

DONALD R. COCHRAN and SUSAN J. COCHRAN, husband and wife

do hereby QUITCLAIM, ASSIGN, TRANSFER and SELL TO

SUNRISE RANCH LLC, a Nevada Limited Liability Company

All of their right, title and interest in and to State of Nevada permit No. 66112, (formerly Permit No. 28547 Certificate No. 9302) together with all of the water and water rights arising therefrom and pertaining thereto situate in the County of Lyon, State of Nevada

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, reminders, rents, issue or profits thereof.

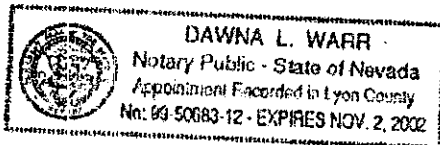
DATED: January 17, 2001

  
Donald R. Cochran

  
Susan J. Cochran

On Jan. 17, 2001 personally appeared before me, a Notary Public,  
DONALD R. COCHRAN and SUSAN J. COCHRAN who acknowledged to me  
that they executed the within instrument.

Dawna L. Warr  
Notary Public



Grantee address:

✓ # 8 Lux Lane

Yerington, NV 89447

RECORDERS USE

**256479**

OFFICIAL RECORDS  
LYON COUNTY, NEV.

RECORD REQUESTED BY

Stennis Ranch LLC

01 JAN 17 PM 4:06

MARY C. MILLIGAN  
COUNTY RECORDER

FEE 7<sup>00</sup> DEP. DW



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 10-10-05

Susan J. Cochran  
Signature

Susan J. Cochran  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
 )  
 ) Plaintiff, ) In Equity No. C-125-ECR  
 ) Subfile No. C-125-B  
 WALKER RIVER PAIUTE TRIBE, )  
 ) NOTICE OF CHANGE OF  
 ) Plaintiff-Intervenor, ) OWNERSHIP OF WATER RIGHT  
 )  
 ) v. )  
 )  
 WALKER RIVER IRRIGATION DISTRICT, )  
 a corporation, et al., )  
 )  
 ) Defendants. )  
 )

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s) *Donald R. Cochran*  
*Susan J. Cochran*

Street or P.O. Box *21 Rasque Ln*

Town or City State ZipCode  
Gerington NV 89447

2. The name and address of each person or entity who acquired ownership

Name(s) Sunrise Ranch LLC

Street or P.O. Box 8 Lux Ln

Town or City State ZipCode  
Gerington NV 89447

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed  
☐ Court Order  
☐ Other Document.

by which the change in ownership was accomplished.

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And

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P.O. Box 756  
Littleton, CO 80160



litigation.

Executed this 10<sup>th</sup> day of October 2005.

[signature of counter-defendant]

*Susan J. Cochran*

[name of counter-defendant]

*Susan J. Cochran*

[signature, if applicable, of person acting on  
behalf of counter-defendant]

[name, if applicable, of person acting on  
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[address]

*21 Basque Ln  
Yerington NV 89447*

[telephone number]

*775-463-5164*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION

DISTRICT,

a corporation, et al.,

Defendants.

In Equity No. C-125-ECR

Subfile No. C-125-B

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6 ownership:

7 Name(s): Donald R. Cochran  
8 Susan J. Cochran

9 Street or P.O. Box: 21 Basque Ln  
10

11 Town or City: Yerington  
12

13 State: Nevada  
14

15 Zip Code: 89447  
16

17 2. The name and address of each person or entity who acquired ownership

18 Name(s): Sunrise Ranch LLC  
19

20 Street or P.O. Box: 8 Lux Ln  
21

22 Town or City: Yerington  
23

24 State: Nevada  
25

26 Zip Code: 89447  
27  
28

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5  
6 ☒ Deed  
7 ☐ Court Order  
8 ☐ Other Document.  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.  
16

17 Executed this 10<sup>th</sup> day of October 2005.  
18  
19  
20  
21

22 [signature of counter-defendant]

23 *Susan J. Cochran*  
24

25  
26 [name of counter-defendant]

27 *Susan J Cochran*  
28

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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

[telephone number]

RPTT \$ 58.50  
APN 14-333-18

**QUITCLAIM DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

DONALD R. COCHRAN and SUSAN J. COCHRAN, husband and wife

do hereby QUITCLAIM, ASSIGN, TRANSFER and SELL TO

SUNRISE RANCH LLC, a Nevada Limited Liability Company

All of their right, title and interest in and to State of Nevada permit No. 66112,  
(formerly Permit No. 28547 Certificate No. 9302) together with all of the water  
and water rights arising therefrom and pertaining thereto situate in the County of  
Lyon, State of Nevada

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto  
belonging or in anywise appertaining, and any reversion, reminders, rents, issue  
or profits thereof.

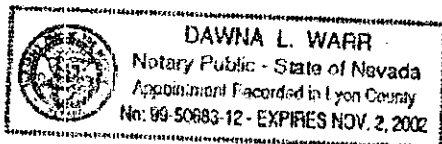
DATED: January 17, 2001

  
Donald R. Cochran

  
Susan J. Cochran

On Jan. 17, 2001 personally appeared before me, a Notary Public,  
DONALD R. COCHRAN and SUSAN J. COCHRAN who acknowledged to me  
that they executed the within instrument.

Dawna L. Warr  
Notary Public



Grantee address:

✓ # 8 Lux Lane

Yerington, NV 89447

RECORDERS USE

256479

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY

Seniors Ranch LLC  
01 JAN 17 PM 4:06

HARY C. HILLIGAN  
COUNTY RECORDER

FEE 7.00 DEP. DW





**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-1-05

Gilbert E. Cook  
Signature  
GILBERT E. COOK  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: Attorney of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-1-05

Linda L. Cook  
Signature

Linda L. Cook  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: GOVERNOR of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-07-05

Antoinette Crabtree  
Signature

Antoinette Crabtree  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.,

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8 Antoinette Crabtree

9 (Signature)

10  
11 Antoinette Crabtree

12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17 205 Antesia Rd.

18 Wellington, NV 89444

19 (Address)

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22  
23  
24  
25  
26  
27  
28 (Telephone number)

